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2017 SEP 18 PM 4:40  
S.D. OF N.Y.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Demetrius Witherspoon

(List the full name(s) of the plaintiff(s)/petitioner(s).)

1:15 CV 09149 (LAP) ( )

-against-

NOTICE OF APPEAL

International Olympic Committee

(List the full name(s) of the defendant(s)/respondent(s).)

Notice is hereby given that the following parties:

Demetrius Witherspoon

(list the names of all parties who are filing an appeal)

in the above-named case appeal to the United States Court of Appeals for the Second Circuit

from the ☐ judgment ☒ order entered on:

11/25/15

(date that judgment or order was entered on docket)

that:

Notice of Right to Appeal

(If the appeal is from an order, provide a brief description above of the decision in the order.)

9/18/17  
Dated

[Signature]  
Signature

Witherspoon Demetrius M  
Name (Last, First, MI)

296 North Ave  
Address

New York  
City

N.Y.  
State

10013  
Zip Code

Telephone Number

E-mail Address (if available)

\* Each party filing the appeal must date and sign the Notice of Appeal and provide his or her mailing address and telephone number, EXCEPT that a signer of a pro se notice of appeal may sign for his or her spouse and minor children if they are parties to the case. Fed. R. App. P. 3(c)(2). Attach additional sheets of paper as necessary.

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S.D. OF N.Y.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Donald Witherspoon

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

International Olympic Committee

(List the full name(s) of the defendant(s)/respondent(s).)

1:15 CV 09149 (2nd)( )

MOTION FOR EXTENSION  
OF TIME TO FILE NOTICE  
OF APPEAL

I move under Rule 4(a)(5) of the Federal Rules of Appellate Procedure for an extension of time to file a notice of appeal in this action. I would like to appeal the judgment entered in this action on 11/25/15 but did not file a notice of appearance within the required time period because:

Oversight Order

(Explain here the excusable neglect or good cause that led to your failure to file a timely notice of appeal.)

Dated:

9/18/17

Signature

[Signature]

Name (Last, First, MI)

Witherspoon Donald M

Address

296 North Ave

City

New York

State

N.Y.

Zip Code

10013

Telephone Number

E-mail Address (if available)

RECEIVED  
SDNY PRO SE OFFICE  
2017 SEP 18 PM 4:40  
S.D. OF N.Y.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Daniel Wuthersper

(List the full name(s) of the plaintiff(s)/petitioner(s).)

1:15 CV 09149 (LAP) ( )

-against-

International Olympic Committee

**MOTION FOR LEAVE TO  
PROCEED IN FORMA  
PAUPERIS ON APPEAL**

(List the full name(s) of the defendant(s)/respondent(s).)

I move under Federal Rule of Appellate Procedure 24(a)(1) for leave to proceed *in forma pauperis* on appeal. This motion is supported by the attached affidavit.

9/18/17

Dated

[Signature]

Signature

Wuthersper Daniel M

Name (Last, First, MI)

296 North Ave

Address

New York

City

NY

State

10019

Zip Code

Telephone Number

E-mail Address (if available)

## Application to Appeal In Forma Pauperis

Wetherford v. International Olympic Committee Appeal No. \_\_\_\_\_

District Court or Agency No. \_\_\_\_\_

<p><b>Affidavit in Support of Motion</b></p> <p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)</p> <p>Signed: <u>[Signature]</u></p>	<p><b>Instructions</b></p> <p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p> <p>Date: <u>9/18/17</u></p>
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My issues on appeal are: (required):

- For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ —	\$ 0	\$ —
Self-employment	\$ 0	\$ —	\$ 0	\$ —
Income from real property (such as rental income)	\$ 0	\$ —	\$ 0	\$ —

Interest and dividends	\$ 0	\$	\$	\$
Gifts	\$ 0	\$	\$	\$
Alimony	\$ 0	\$	\$	\$
Child support	\$ 0	\$	\$	\$
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$	\$	\$
Disability (such as social security, insurance payments)	\$ 0	\$	\$	\$
Unemployment payments	\$ 0	\$	\$	\$
Public-assistance (such as welfare)	\$ 0	\$	\$	\$
Other (specify):	\$ 0	\$	\$	\$
<b>Total monthly income:</b>	\$ 0	\$ 0	\$ 0	\$ 0

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Sony Productions Inc	New Jersey	Currently	\$
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ \_\_\_\_\_

*Below, state any money you or your spouse have in bank accounts or in any other financial institution.*

Financial Institution	Type of Account	Amount you have	Amount your spouse has
		\$	\$
		\$	\$
		\$	\$

*If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.*

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	Other real estate	Motor vehicle #1
(Value) \$ 0	(Value) \$ 0	(Value) \$ 0
		Make and year:
		Model:
		Registration #:

Motor vehicle #2	Other assets	Other assets
(Value) \$ 0	(Value) \$ 0	(Value) \$ 0
Make and year:		
Model:		
Registration #:		

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$	\$
	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name [or, if a minor (i.e., underage), initials only]	Relationship	Age
N/A		

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (including lot rented for mobile home)	\$ 0	\$ -
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ -
Home maintenance (repairs and upkeep)	\$ 0	\$ -
Food	\$ 0	\$ -
Clothing	\$ 0	\$ -
Laundry and dry-cleaning	\$ 0	\$ -
Medical and dental expenses	\$ 0	\$ -

Transportation (not including motor vehicle payments)	\$ 0	\$ —
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ —
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ —
Life:	\$ 0	\$ —
Health:	\$ 0	\$ —
Motor vehicle:	\$ 0	\$ —
Other:	\$ 0	\$ —
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$ —
Installment payments		
Motor Vehicle:	\$ 0	\$ —
Credit card (name):	\$ 0	\$ —
Department store (name):	\$ 0	\$ —
Other:	\$ 0	\$ —
Alimony, maintenance, and support paid to others	\$ 0	\$ —
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ —
Other (specify):	\$ 0	\$ —
<b>Total monthly expenses:</b>	<b>\$ 0</b>	<b>\$ 0</b>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes

☒ No

If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? ☐ Yes ☒ No

If yes, how much? \$ \_\_\_\_\_



11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

*Lack of income - unpaid wages*

12. *Identify the city and state of your legal residence.*

City New York State NY

Your daytime phone number:                     

Your age: 30 Your years of schooling: Some College

Last four digits of your social-security number: 5240